

For consideration of the House amendment and the Senate amendment, and modifications committed to conference:

WILLIAM THOMAS,
TOM DELAY,

Managers on the Part of the House.

CHUCK GRASSLEY,
DON NICKLES,
TRENT LOTT,
MAX BAUCUS,
BLANCHE L. LINCOLN,

Managers on the Part of the Senate.

VITIATION OF MOTION TO INSTRUCT CONFEREES ON H.R. 1308, WORKING FAMILIES TAX RELIEF ACT OF 2004

The SPEAKER pro tempore. Under clause 8 of rule XX, the filing of the conference report on H.R. 1308 has vitiated the motion to instruct offered by the gentleman from Kansas (Mr. MOORE), which was debated yesterday and on which further proceedings were postponed.

PRIVILEGED REPORT REQUESTING PRESIDENT TO PROVIDE CERTAIN INFORMATION TO HOUSE OF REPRESENTATIVES RESPECTING NATIONAL ENERGY POLICY DEVELOPMENT GROUP

Mr. BARTON of Texas, from the Committee on Energy and Commerce, submitted a privileged report (Rept. No. 108-697) together with dissenting views, requesting the President of the United States to provide certain information to the House of Representatives respecting the National Energy Policy Development Group, which was referred to the House Calendar and ordered to be printed.

PERSONAL EXPLANATION

Mr. BECERRA. Mr. Speaker, yesterday, September 22, during the final series of votes, I did not record a floor vote on rollcall No. 462, the Olver amendment to H.R. 5025, the Transportation and Related Agencies Appropriations Act for fiscal year 2005.

Mr. Speaker, had I recorded a vote on the Olver amendment, I would have unequivocally voted aye on rollcall vote No. 462, and wish to be recorded as such.

PROVIDING FOR CONSIDERATION OF H. RES. 785, WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 785 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 785

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules

on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of September 23, 2004, providing for consideration or disposition of a conference report to accompany the bill (H.R. 1308) to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit, and for other purposes.

The SPEAKER pro tempore. The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my neighbor, the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. REYNOLDS asked and was given permission to revise and extend his remarks.)

Mr. REYNOLDS. Mr. Speaker, House Resolution 785 is a same day rule that waives clause 6(a) of rule XIII requiring a two-thirds vote to consider a rule on the same day it is reported from the Committee on Rules.

The rule applies the waiver to a special rule reported on the legislative day September 23, 2004, providing for consideration or disposition of a conference report to accompany the bill H.R. 1308, the Working Families Tax Relief Act.

This rule today is the first step to permit the House to consider a conference report that will infuse our economy with job creating tax relief, investment incentives and overall economic growth.

For well over a year, this body has been debating the relief provided by the Working Families Tax Relief Act and, with today's action, we once again display our continued commitment to strong economic growth. We also demonstrate to American workers, businesses and families that this Congress will protect their stability.

Mr. Speaker, through a series of tax cuts, this Congress has acted to create jobs and protect American families. Our strong leadership has resulted in the shortest and shallowest recession in our Nation's history. A delay in the consideration of this conference report for the Working Families Tax Relief Act will put American jobs and families and the strength of our economy at risk.

Mr. Speaker, I strongly urge my colleagues to support this rule so we may proceed with debate on this time sensitive tax relief package.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I thank my neighbor for yielding me time.

Mr. Speaker, we have before us a rule that allows for same day consideration

of a conference report for H.R. 1308, a bill to extend the middle-class tax provisions in the 2001 tax bill.

Mr. Speaker, I strongly believe that any time the body chooses to stray from the regular order of business, it had better be for a darn good reason. It had better be to respond to some catastrophic or emergency situation.

Things are dire out there for the 2.7 million Americans who have lost their good-paying manufacturing jobs since 2001. These workers live in a constant state of emergency and face the catastrophic prospect of losing their homes or sending their children to bed with empty stomachs. The fact the body has failed to extend unemployment insurance for nearly a year is a catastrophic failure, not a catastrophic success.

Mr. Speaker, there are a number of other bills languishing in conference committees that certainly warrant emergency consideration. What about the transportation bill? Immediate consideration of this bill could bring millions of Americans a step closer to getting back to work, because it is a job creation bill.

And what about addressing the WTO tariffs on American exports? Should we not take immediate action to clear the path for more of our manufacturers to export their goods?

Mr. Speaker, as you can see, there is no shortage of bills that could be justifiably brought to the House floor under martial law, but, unfortunately, the bill we have before us today fails to meet that standard.

Although I think everyone here in the House supports extending the middle class tax cuts, I do not like running roughshod over the rules of the House. What is this emergency? The earliest that any of these provisions would expire is December 31.

Mr. Speaker, the majority has not made its case for taking this extraordinary action. The conference report was filed late this afternoon. In fact, we do not have any paper on it at all. So that makes it impossible for us to even continue with the bill. But for a bill that is going to cost nearly \$150 billion, the majority owes it to us to provide us the time to read it.

For these reasons, I cannot support the use of a martial law rule.

Mr. Speaker, I reserve the balance of my time.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are some points well taken, except we have been working 18 months on this legislation in bipartisan fashion in both bodies and we now have a conclusion. I also think we have certainly got strong opinions as we complete this of Members that will support this and Members that will not. I believe it will pass with some bipartisan support.

But also it is important that we have the opportunity that we can get our work done today, because otherwise my belief is that many would ask that we vote tomorrow, which, if we complete our work today, would keep an